



Crl.O.P.No.16827 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 27.07.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.16827 of 2023

Arunesh Kumar Madan HUF,
represented by
Karta, Mr.Arunesh Kumar Madan
S/o.Manohar Lal

... Petitioner

Vs.

1.State represented by
The Assistant Superintendent of Police,
Economic Offences Wing,
Camp at Chennai,
Police Training College Campus,
No:3, Natesan Salai, Ashok Nagar,
Chennai – 83.

2.The Manager,
HDFC Bank,
No.10, Kanakapura Road,
Bengaluru, Karnataka - 560 062.

... Respondents

(Cause title according to the Notice under Section 91 Cr.P.C.)

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. praying
to defreeze the bank account in the name of "Arunesh Kumar Madan HUF"



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in HDFC Bank, Kanakapura Branch, Bengaluru bearing Account No.1753100002690 frozen on the instruction of the first respondent police in relation to the Crime No.07 of 2022 on the file of the EOW, Headquarters, Chennai and permit the petitioner to access the funds within the accounts.

For Petitioner : Mr.G.R. Hari
For Respondents : Mr.A.Damodaran
Additional Public Prosecutor [R1]

ORDER

This Criminal Original Petition has been filed for a direction to the first respondent police to defreeze the bank account of the petitioner maintained before the second respondent bank.

2. Heard Mr.G.R.Hari, learned counsel for petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing for first respondent.

3. Learned Additional Public Prosecutor, on instructions, submitted that the first respondent did not intimate the freezing of bank account as mandated under Section 102 of Cr.PC before the concerned Magistrate.



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4. In view of the above, the freezing of bank account has become illegal and hence, there shall be a direction to the first respondent to defreeze the bank account forthwith.

This Criminal Original petition is disposed of in the above terms.

27.07.2023

Index : Yes/No
Speaking Order/Non-speaking Order
Neutral Citation : Yes/No
gm

To

1. The Assistant Superintendent of Police,
Economic Offences Wing,
Camp at Chennai,
Police Training College Campus,
No:3, Natesan Salai, Ashok Nagar,
Chennai – 83.

2. The Public Prosecutor,
Madras High Court,
Chennai.



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N.ANAND VENKATESH, J

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